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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,281	09/25/2003	Theodore W. Watler	018684-002510US	8318

20350 7590 03/09/2007

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EXAMINER	
SHAN, APRIL YING	
ART UNIT	**PAPER NUMBER**
2135	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/672,281	WATLER ET AL.	
	Examiner	Art Unit	
	April Y. Shan	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 September 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-57* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-57* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *25 September 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *10/2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-57 have been examined.

Claim Objections

2. Claim 44 is objected to because of the following informalities:

a. in claim 44, "accuntfor" should be "account for";

Please check any informality the Applicant is aware of.

Appropriate correction is required.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 1-57 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1-57 are directed to a system for managing local control of access to a computer network. However, according to Applicant's specification on page 10, paragraph [0049] that the system can be implemented using software alone. There is no element positively recited as part of the system. Applicant's specification provides no explicit and deliberate definition on any element positively recited as part of the system, and it appears that such would reasonably be interpreted as representative of the software which manages local control of access to a computer network. As such, it believed that the systems of claims 1-57 are reasonably interpreted as functional descriptive material, per se.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-2, 7, 15-17, 26 and 30-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Xu et al. (U.S. Patent No. 6,151,628)

As per **claim 1**, Xu et al. discloses a system for managing local control of access to a computer network, comprising:

an access point ("a communications chassis such as a network access server" in the abstract corresponds to Applicant's an access point) having an operating system and access control software ("the EdgeServercard...allows the communications chassis to run a commercially available stand alone operating system, such as WINDOWS NT from Microsoft Corporation, as well as other remote access software products such as RADIUS (Remote Authentication Dial In User Service). In the above described Internet access methods, the accounting and authentication functions are preferably employed using the RADIUS protocol, which is a widely know protocol..." – e.g. col. 5, lines 44-60 and "The EdgeServer card 62 contains a general purpose computing platform 70 running commercially available stand-alone or share ware operating system (such as WINDOWS NT)...- e.g. col. 7, lines 57-62);

wherein the access control software is configured to receive an

access code ("user name, password, and/or challenge/response, calling number, called number, and communications chassis IP address" in col. 14, line 67 – col. 15, line 3 correspond to Applicant's access code) from a client (e.g. "wireless users" in col. 5, line 64 corresponds to Applicant's client) and authenticate the client using the access code ("In accordance with a preferred embodiment of the invention, two phases of authentication are implemented in order to control access to the Internet 22 or corporate/private network 24 to those wireless users that are permitted access via network 26. The first phase of authentication is based on the called number dialed by the remote user 12, 14 and the calling number of the wireless user 12, 14 (the user's phone number associated with the computer 12 or PDA 14). The second phase of the authentication is based on a test user name and password authentication protocol...or Challenge/Response protocol..." – e.g. col. 5, line 61 – col. 6, line 37 and col. 14, line 65 – col. 17, line 22);

wherein the operating system is configured to allow a communication session to be established between the client and the computer network upon the client being successfully authenticated by the access control software ("...determining, in the network authentication server, from the transmitted authentication data whether the remote user is permitted to access the computer network...and authorizing the source of data to access the computer network if the step of determining results in a positive response" – e.g. abstract); and

wherein the access control software is further configured to meter and rate the

communication session ("...the accounting and authentication functions are preferably employed using the RADIUS protocol..." – e.g. col. 5, line 53-60 and col. 17, line 25 – col.18, line 40)

As per **claim 2**, Xu et al. discloses a system as applied above in claim 1. Xu et al. further discloses wherein the access point is further configured to manage access with respect to one or more communication sessions (e.g. abstract and col. 2, lines 18-61).

As per **claim 7**, Xu et al. discloses a system as applied above in claim 1. Xu et al. further discloses wherein the access control software is further configured to meter and rate the communication session in real time (e.g. col. 18, lines 15-19).

As per **claims 15-16**, Xu et al. discloses a system as applied above in claim 1. Xu et al. further discloses a control server having control server software, wherein the control server is configured to communicate with the access point ("wireless service carrier" in the abstract corresponds to Applicant's control server having control server software) and wherein one or more access codes are generated by the control server software and forwarded to the access point (e.g. abstract).

As per **claim 17**, Xu et al. discloses a system as applied above in claim 15. Xu et al. further discloses wherein the control server is further configured to communicate with one or more access points (e.g. abstract).

As per **claim 26**, Xu et al. discloses a system as applied above in claim 15. Xu et al. further discloses wherein the control server software is further configured to receive one or more requests from the access control software to generate corresponding access codes (e.g. abstract).

As per **claim 30**, Xu et al. discloses a system as applied above in claim 1. Xu et al. further discloses wherein the access point is a router (e.g. col. 13, lines 18-23).

As per **claim 31**, Xu et al. discloses a system as applied above in claim 1. Xu et al. further discloses wherein the access code is provided to the access point by the client via wireless communications (e.g. col. 3, lines 54-62 and abstract)

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10. Claims 3-6, 8-9, 12-13, 18-23, 25 and 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Xu et al. (U.S. Patent No. 6,151,628) as applied to claims 1 above, and further in view of Hamilton (U.S. Pub. No. 2002/0176377)

As per **claims 3 and 4**, Xu et al. discloses a system as applied above in claim 1. Xu et al. does not expressly disclose wherein one or more methods are available for use by the access control software to meter and rate the communication session and wherein one of the one or more methods uses information from a website being visited to meter and rate the communication session.

Hamilton discloses wherein one or more methods are available for use by the access control software to meter and rate the communication session (paragraph [0060]) and wherein one of the one or more methods uses information from a website being visited to meter and rate the communication session (paragraph [0060]).

At the time of the invention, it would have been obvious for a person with ordinary skill in the art to incorporate one or more methods are available for use by the access

control software to meter and rate the communication session and wherein one of the one or more methods uses information from a website being visited to meter and rate the communication session into Xu et al.'s system.

The motivation of doing so would have been in order to "determining a billing in accordance with the stored policies", as taught by Hamilton (abstract).

As per **claims 5 and 12-13**, Xu et al.- Hamilton disclose a system as applied above in claim 3. Hamilton further discloses wherein the access control software uses information specified by an operator of the access point to select at least one of the one or more methods to be used to meter and rate the communication session (e.g. paragraph [0060]), wherein the information specified by the operator includes parameters governing usage and access conditions for the access point (e.g. paragraph [0060]), and wherein information associated with the access code includes at least one of the parameters governing usage and access conditions for the access point (e.g. paragraph [0060]).

As per **claim 6**, Xu et al. - Hamilton disclose a system as applied above in claim 3. Hamilton further discloses wherein the access control software selects at least one of the one or more methods to be used to meter and rate the communication session by using information associated with the access code (e.g. paragraph [0060]).

As per **claims 8 and 23**, Xu et al. – Hamilton further disclose wherein one or more access codes are generated based on the information specified by an operator (Hamilton, e.g. paragraph [0061]), wherein at least one of the one or more access codes is subject to one or more restrictions (Hamilton, e.g. paragraphs [0056] and [0060]-[0061]).

As per **claim 9**, Xu et al. – Hamilton further discloses wherein the access control software is capable of being activated by the operator (Hamilton, e.g. paragraph [0061]).

As per **claims 18-19**, Xu et al. discloses a system as applied above in claim 15. Xu et al. does not expressly disclose wherein the control server software is further configured to carry out a process to initialize an account for an operator of the access point and wherein during the account initialization process, either the operator or the access control software or both provide information including identification information and billing information to the control server software.

Hamilton discloses wherein the control server software is further configured to carry out a process to initialize an account for an operator of the access point and wherein during the account initialization process, either the operator or the access control software or both provide information including identification information and billing information to the control server software (e.g. paragraphs [0034], [0040], [0057] and fig. 1)

It would have been obvious to a person with ordinary skill in the art to incorporate Hamilton's a process to initialize an account for an operator of the access point and wherein during the account initialization process, either the operator or the access control software or both provide information including identification information and billing information to the control server software into Xu et al.'s system.

The motivation of doing so would have been to "determining a sponsor and a billing for the requested service in accordance with stored policies", as disclosed by Hamilton (paragraph [0008])

As per **claims 20-21**, Xu et al.- Hamilton disclose a system as applied above in claim 18. Hamilton et al. further discloses wherein either the operator or the access control software or both provide information to the control server software that is to be used by the access control software to meter and rate one or more communication sessions (e.g. paragraphs [0060]-[0061]) and wherein the control server software allows the operator to change the specified information (e.g. paragraphs [0060], [0075]).

As per **claim 22**, Xu et al.- Hamilton discloses a system as applied above in claim 20. Hamilton further discloses wherein the control server software is further configured to generate one or more access codes using the information specified by the operator (e.g. paragraph [0061]).

As per **claim 25**, the combined teachings Xu et al.- Hamilton further disclose wherein the control server software is further configured to process end-user payment

information received from the access control software (Hamilton, e.g. paragraphs [0040], [0061], [0206] and [0208]).

As per **claims 27-29,** the combined teachings Xu et al.- Hamilton further disclose wherein the control server software is further configured to track information relating to the one or more requests from the access control software and other activities incurred by the access point (Hamilton, e.g. paragraphs [0013]-[0014] and [0021]-[0022]) and wherein the control server software is further configured to report the tracked information to the operator (Hamilton, e.g. paragraph [0056]) and wherein the control server software is further configured to generate a bill to the operator based on the tracked information (Hamilton, e.g. paragraphs [0015], [0026] and [0032])

11. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Xu et al. - Hamilton as applied to claims 8 and 23 above, and further in view of Examiner's Official Notice.

As per **claim 24**, Xu et al. – Hamilton do not expressly disclose wherein the one or more restrictions include a one-time use. However, one-time use restriction is commonly known in the art at the time of the invention.

It would have been obvious to a person with ordinary skill in the art to combining one time use restriction into Xu et al. – Hamilton's system.

The motivation of doing so would have been to provide temporary service to the user.

12. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Xu et al. (U.S. Patent No. 6,151,628) as applied to claim 1 above, and further in view of Gubbi (U.S. Patent No. 6,463,473).

As per **claim 10**, Xu et al. discloses a system as applied above in claim 1. Xu et al. does not expressly disclose wherein the access control software is further configured to terminate the communication session between the client and the computer network when a usage limit is reached.

Gubbi discloses wherein the access control software is further configured to terminate the communication session between the client and the computer network when a usage limit is reached (e.g. col. 4, lines 15-21).

It would have been obvious to a person with ordinary skill in the art at the time of the invention to incorporate Gubbi's the access control software is further configured to terminate the communication session between the client and the computer network when a usage limit is reached into Xu et al.'s system.

The motivation of doing so would have been to "allow access by a client device for a limited period of time", as taught by Gubbi (abstract).

13. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Xu et al. (U.S. Patent No. 6,151,628) and Gubbi (U.S. Patent No. 6,463,473) as applied to claim 10 above, and further in view of Examiner's official notice.

As per **claim 11**, the combined teachings of Xu et al. and Gubbi disclose the claim limitations in claim 10. Gubbi further discloses in col. 5, lines 65-67, "where no

master is detected in any available channel, the guest client may so notify a user and shut down".

Xu et al. and Gubbi do not expressly disclose wherein the access control software is further configured to inform the client when the client approaches the usage limit for the communication session. However, the examiner will take official notice that the access control software is further configured to inform the client when the client approaches the usage limit for the communication session is common knowledge in the art at the time of the invention.

It would have been obvious to a person with ordinary skill in the art to incorporate the common knowledge of inform the client when the client approaches the usage limit for the communication session into Xu et al.- Gubbi's system.

The motivation of doing so would have been to notify the user to wrap up his/her work before time-out.

14. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Xu et al. (U.S. Patent No. 6,151,628) and Hamilton (U.S. Pub. No. 2002/0176377) as applied to claim 12 above, and further in view of Gubbi (U.S. Patent No. 6,463,473).

As per **claim 14**, Xu et al.- Hamilton disclose a system as applied above in claim 12. Xu et al.- Hamilton do not expressly disclose wherein the parameters include at least one of maximum session time, maximum data volume, the one or more methods that are available to meter and rate the communication session and access conditions including time period restrictions and restrictions on number of clients.

Gubbi discloses wherein the parameters include at least one of maximum session time, maximum data volume, the one or more methods that are available to meter and rate the communication session and access conditions including time period restrictions and restrictions on number of clients (e.g. col. 4, lines 22-35).

It would have been obvious to a person with ordinary skill in the art at the time of the invention to incorporate Gubbi's the parameters include at least one of maximum session time, maximum data volume, the one or more methods that are available to meter and rate the communication session and access conditions including time period restrictions and restrictions on number of clients into Xu et al.-Hamilton's system.

The motivation of doing so would have been "that a guest device will be permitted to access can be configured by the user at the time of installation", as taught by Gubbi (col. 4, lines 23-25)

15. Claims 32-33, 41, 52 and 56-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Xu et al. (U.S. Patent No. 6,151,628) in view of Naghian et al. (U.S. Patent No. 6,879,574).

As per **claim 32**, Xu et al. discloses a system for managing local control of access to a computer network, comprising:

an access points, each access point configured to receive a plurality of access codes from a plurality of clients (wireless equipment 12, 14 in fig. 1 corresponds to Applicant's a plurality of clients) and

authenticate the plurality of clients using the corresponding access codes, each access point further configured to provide a service to a client based on the client's corresponding access code, the service including establishing a communication session between the client and the computer network upon the client being successfully authenticated by the access point (Please see above rationale in rejecting claim 1 above); and

a control server ("wireless service carrier" in the abstract corresponds to Applicant's a control server) configured to communicate with the access point, the control server further configured to generate the corresponding access codes for the plurality of clients and forward the corresponding access codes to the access point (e.g. abstract)

Xu et al. does not expressly disclose a plurality of access points.

Naghian et al. discloses a plurality of access points as routers 210 in fig. 2.

It would have been obvious to a person with ordinary skill in the art to incorporate Naghian et al.'s a plurality of access points into Xu et al.'s system.

The motivation of doing so would have been "The number of routers may be increased or decreased...As such, the Internet itself may be formed from a vast number of such interconnected networks, computers, and routers" as taught by Naghian et al (e.g. col. 15, lines 19-23) and a plurality of access points also provide balance load and prevent overloading any single access point.

As per **claim 33**, the combined teachings of Xu et al. and Naghian et al. disclose a method as applied above in claim 32. Xu et al. further discloses wherein a first

access point is further configured to meter and rate the communication session for the client using the client's access code (e.g. col. 17, line 25 – col. 18, line 33).

As per **claim 41**, the combined teachings of Xu et al. and Naghian et al. disclose a system as applied above in claim 33. Xu et al. further discloses wherein the first access point is further configured to meter and rate the communication session for the client in real time (e.g. col. 18, lines 15-19).

As per **claim 52**, the combined teachings of Xu et al. and Naghian et al. disclose a system as applied above in claim 32. Xu et al. further discloses wherein the control server is further configured to receive a plurality of requests from the plurality of access points to generate corresponding access codes (see rationale in rejecting claim 26 above).

As per **claim 56**, the combined teachings of Xu et al. and Naghian et al. discloses a system as applied above in claim 32. Xu et al. and Naghian et al. further discloses wherein the plurality of access points include a router (Xu et al., e.g. col. 13, lines 18-23 and Naghian et al, fig. 2).

As per **claim 57**, the combined teachings of Xu et al. and Naghian et al. disclose a system as applied above in claim 32. Xu et al. and Naghian et al. further discloses wherein at least one of the plurality of access points communicates with the plurality of clients via wireless communications (Xu et al. - e.g. col. 3, lines 54-62, abstract and Naghian et al. – e.g. col. 15, lines 2-3 and WLAN 220 in fig. 2)

16. Claims 34-39, 44-49, 51 and 53-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Xu et al. (U.S. Patent No. 6,151,628) - Naghian et al. (U.S. Patent

No. 6,879,574) as applied above in claims 32 and 33, and further in view of Hamilton (U.S. Pub. No. 2002/0176377).

As per **claims 34-35**, the combined teachings of Xu et al. and Naghian et al. disclose a method as applied above in claim 33.

Xu et al. – Naghian et al. do not expressly disclose wherein one or more methods are available for use by the access control software to meter and rate the communication session and wherein one of the one or more methods uses information from a website being visited to meter and rate the communication session.

Hamilton discloses wherein one or more methods are available for use by the access control software to meter and rate the communication session (paragraph [0060]) and wherein one of the one or more methods uses information from a website being visited to meter and rate the communication session (paragraph [0060]).

At the time of the invention, it would have been obvious for a person with ordinary skill in the art to incorporate one or more methods are available for use by the access control software to meter and rate the communication session and wherein one of the one or more methods uses information from a website being visited to meter and rate the communication session into Xu et al. and Hamilton's system.

The motivation of doing so would have been in order to "determining a billing in accordance with the stored policies", as taught by Hamilton (abstract).

As per **claim 36**, the combined teachings of Xu et al. - Naghian et al. - Hamilton disclose a method as applied above in claim 34. Xu et al. further discloses wherein the first access point uses information associated with the client's access code to select at least one of the one or more methods to be used to meter and rate the communication session (Xu et al., e.g. col. 17, line 25 – col. 18, line 33).

As per **claims 37-39**, the combined teachings of Xu et al. - Naghian et al. - Hamilton discloses wherein the control server generates one or more access codes for the client seeking access via the first access point based on information specified by an operator of the first access point (Please see rationale in rejecting claim 8 above), wherein the information specified by the operator includes parameters governing usage and access conditions for the first access point (Please see rationale in rejecting claim 12 above) and wherein information associated with at least one of the one or more access codes for the client includes at least one of the parameters governing usage and access conditions for the first access point (Please see rationale in rejecting claim 13 above).

As per **claims 44-45**, the combined teachings of Xu et al. - Naghian et al. – Hamilton further disclose wherein the control server is further configured to carry out a process to initialize an account for an operator of a first access point (please see rationale in rejecting claim 18 above) and wherein during the account initialization process, either the operator or the first access point or both provide information

including identification and billing information to the control server (please see rationale in rejecting claim 19 above).

As per **claims 46-47**, the combined teachings of Xu et al. and Naghian et al. and Hamilton further discloses wherein either the operator or the first access point or both provide information to the control server, the information provided to the control server is to be used to provide the service including metering and rating the communication session (please see rationale in rejecting claim 20 above) and wherein the control server allows the operator to change the specified information (please see rationale in rejecting claim 21 above).

As per **claim 48**, the combined teachings of Xu et al. and Naghian et al. and Hamilton further discloses wherein the control server is further configured to generate one or more access codes for a client using the information specified by the operator (please see rationale in rejecting claim 22 above).

As per **claim 49**, the combined teachings of Xu et al. and Naghian et al. and Hamilton further discloses wherein at least one of the plurality of access codes is subject to one or more restrictions (please see rationale in rejecting claim 23 above)

As per **claim 51**, the combined teachings of Xu et al. and Naghian et al. and Hamilton further discloses wherein the control server is further configured to process end-user payment information received from one or more of the plurality of access points (please see rationale in rejecting claim 25 above).

As per **claims 53-55**, the combined teachings of Xu et al. and Naghian et al. and Hamilton further discloses wherein the control server is further configured to track information relating to the plurality of requests from the plurality of access points and other activities incurred by the plurality of access points (please see rationale in rejecting claim 27 above) and wherein the control server is further configured to report the tracked information to corresponding operators of the plurality of access points (please see rationale in rejecting claim 28 above) and further configured to generate bills to corresponding operators of the plurality of access points based on the tracked information (please see rationale in rejecting claim 29 above).

17. Claims 40 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Xu et al. (U.S. Patent No. 6,151,628) - Naghian et al. (U.S. Patent No. 6,879,574) - Hamilton (U.S. Pub. No. 2002/0176377) and further in view of Gubbi (U.S. Patent No. 6,463,473)

As per **claim 40**, the combined teachings of Xu et al. - Naghian et al. - Hamilton disclose a system as applied above in claim 38. Xu et al. – Naghian et al. - Hamilton do not disclose wherein the parameters include at least one of maximum session time, maximum data volume, one or more methods that are available to meter and rate the communication session and access conditions including time period restrictions and restrictions on number of clients.

Gubbi discloses wherein the parameters include at least one of maximum session time, maximum data volume, the one or more methods that are available to meter and rate the communication session and access conditions

including time period restrictions and restrictions on number of clients (e.g. col. 4, lines 22-35).

It would have been obvious to a person with ordinary skill in the art at the time of the invention to incorporate Gubbi's the parameters include at least one of maximum session time, maximum data volume, the one or more methods that are available to meter and rate the communication session and access conditions including time period restrictions and restrictions on number of clients into Xu et al.-Hamilton's system.

The motivation of doing so would have been "that a guest device will be permitted to access can be configured by the user at the time of installation", as taught by Gubbi (col. 4, lines 23-25)

As per **claim 42**, the combined teachings of Xu et al. - Naghian et al. - Gubbi further discloses wherein the first access point is further configured to terminate the communication session between the client and the computer network when a usage limit is reached (Please see rationale in rejecting claim 10 above).

18. Claim 43 is rejected under 35 U.S.C. 103(a) as being unpatentable over Xu et al. (U.S. Patent No. 6,151,628) - Naghian et al. (U.S. Patent No. 6,879,574) as applied above in claim 33, further in view of Examiner's official notice.

As per **claim 43**, the combined teachings of Xu et al. and Naghian et al. disclose a system as applied above in claim 33.

Xu et al. and Naghian et al. do not expressly disclose wherein the first access control software is further configured to inform the client when the client approaches the

usage limit for the communication session. However, the examiner will take official notice that the access control software is further configured to inform the client when the client approaches the usage limit for the communication session is common knowledge in the art at the time of the invention.

It would have been obvious to a person with ordinary skill in the art to incorporate the common knowledge of inform the client when the client approaches the usage limit for the communication session into Xu et al.- Naghian et al.'s system.

The motivation of doing so would have been to notify the user to wrap up his/her work before time-out.

19. Claim 50 is rejected under 35 U.S.C. 103(a) as being unpatentable over Xu et al. (U.S. Patent No. 6,151,628) - Naghian et al. (U.S. Patent No. 6,879,574) - Hamilton (U.S. Pub. No. 2002/0176377) as applied above in claim 49, further in view of examiner's official notice.

Xu et al. – Naghian et al. - Hamilton does not expressly disclose wherein the one or more restrictions include a one-time use. However, one-time use restriction is commonly known in the art at the time of the invention.

It would have been obvious to a person with ordinary skill in the art to combining one time use restriction into Xu et al. – Naghian et al. - Hamilton's system.

The motivation of doing so would have been to provide temporary service to the user.

Conclusion

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (See PTO – 892)

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to April Y. Shan whose telephone number is (571) 270-1014. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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2 March 2007
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